



**6712-01**

**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Part 73**

**[MB Docket No. 13-261, RM-11707; DA 13-2129]**

Television Broadcasting Services; Birmingham, Alabama

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission has before it a petition for rulemaking filed by Alabama Educational Television Commission (“AETC”), the licensee of station WBIQ(TV), channel \*39, Birmingham, Alabama, requesting to return to its previously allotted channel \*10 at Birmingham. AETC currently has a claim on two channels in the DTV Table of Allotments, channels \*10 and \*39, and seeks a waiver of the Commission’s freeze on the filing of petitions for rulemaking by television stations seeking channel substitutions in order to relinquish all claims to channel \*39 with the grant of this petition. AETC concludes that the proposed return of WBIQ(TV) to channel \*10 will serve the public interest by allowing the station to conserve its resources and by not disrupting service to the public.

**DATES:** Comments must be filed on or before **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**, and reply comments on or before **[INSERT DATE 45 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

**ADDRESSES:** Federal Communications Commission, Office of the Secretary, 445 12th Street, S.W., Washington, D.C. 20554. In addition to filing comments with the FCC, interested parties should serve counsel for petitioner as follows: M. Scott Johnson, Esq., Fletcher, Heald, &

Hildreth, PLC, 1300 N. 17<sup>th</sup> Street, Suite 1100, Arlington, VA 22209.

**FOR FURTHER INFORMATION CONTACT:** Adrienne Denysyk,

[Adrienne.Denysyk@fcc.gov](mailto:Adrienne.Denysyk@fcc.gov) , Media Bureau, (202) 418-1600.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MB Docket No. 13-261, adopted November 4, 2013, and released November 6, 2012. The full text of this document is available for public inspection and copying during normal business hours in the FCC's Reference Information Center at Portals II, CY-A257, 445 12th Street, SW, Washington, DC, 20554. This document will also be available via ECFS (<http://www.fcc.gov/cgb/ecfs/>). (Documents will be available electronically in ASCII, Word 97, and/or Adobe Acrobat.) This document may be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12<sup>th</sup> Street, S.W., Room CY-B402, Washington, D.C. 20554, telephone 1-800-478-3160 or via e-mail [www.BCPIWEB.com](http://www.BCPIWEB.com). To request this document in accessible formats (computer diskettes, large print, audio recording, and Braille), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Commission's Consumer and Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY). This document does not contain proposed information collection requirements subject to the Paperwork Reduction Act of 1995, Public Law 104-13. In addition, therefore, it does not contain any proposed information collection burden "for small business concerns with fewer than 25 employees," pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107-198, see 44 U.S.C. 3506(c)(4).

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding. Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all

ex parte contacts (other than ex parte presentations exempt under 47 CFR 1.1204(a)) are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1208 for rules governing restricted proceedings.

For information regarding proper filing procedures for comments, see §§1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Television

FEDERAL COMMUNICATIONS COMMISSION.

Barbara A. Kreisman  
Chief, Video Division, Media Bureau.

### **Proposed rules**

For the reasons discussed in the preamble, the Federal Communications Commission proposes to amend 47 CFR part 73 as follows:

#### **PART 73 -- RADIO BROADCAST SERVICES**

1. The authority citation for part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303, 334, 336, and 339.

§ 73.622 [Amended]

2. Section 73.622(i), the Post-Transition Table of DTV Allotments under Alabama is amended by adding channel \*10 and removing channel \*39 at Birmingham.

[FR Doc. 2013-29585 Filed 12/10/2013 at 8:45 am; Publication Date: 12/11/2013]